



California Supreme Court Committee on Judicial Ethics Opinions

350 McAllister Street, San Francisco, California 94102-4797

[www.JudicialEthicsOpinions.ca.gov](http://www.JudicialEthicsOpinions.ca.gov)

**NEWS RELEASE**

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**FOR IMMEDIATE RELEASE**

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## **Public Comment Sought on Draft Judicial Ethics Advisory Opinion**

*Supreme Court Committee on Judicial Ethics Opinions invites comment on a draft opinion providing guidance to judges on advocacy at public hearings*

SAN FRANCISCO—The California Supreme Court Committee on Judicial Ethics Opinions invites public comment on a draft advisory opinion discussing how judges may determine whether advocacy or consultation at public hearings on “matters concerning the law, the legal system, or the administration of justice” is or is not permissible under the Code of Judicial Ethics. The draft opinion discusses the benefit to the public and to the members of the executive and legislative branches of government when judges appear at public hearings to provide their unique experience and expertise as judges in matters concerning the law, the legal system, and the administration of justice.

The opinion concludes that a judge may appear at a public hearing or officially consult with an executive or legislative body or public official on matters within the scope of that experience and expertise, provided that the appearance or consultation does not contravene any other provisions of the Code of Judicial Ethics, for example, by commenting on pending or impending proceedings in any court, or by taking a position that could be understood as a commitment with respect to the outcome of cases.

The draft opinion and invitation to comment are posted on the committee’s website at <http://www.JudicialEthicsOpinions.ca.gov/itc>. The deadline for comment is August 15, 2014.

After considering the public’s comments on the draft opinion, the committee will decide whether or not to publish an opinion in final form. Comments are due by August 15, 2014, and may be submitted in any of the following ways:

- Online using this [Comment Form](http://www.JudicialEthicsOpinions.ca.gov/itc); <http://www.JudicialEthicsOpinions.ca.gov/itc>;
- By email to [Judicial.Ethics@jud.ca.gov](mailto:Judicial.Ethics@jud.ca.gov); or

- By mailing comments to Ms. Nancy Black, Committee Counsel, The California Supreme Court Committee on Judicial Ethics Opinions, 350 McAllister Street, San Francisco, California 94102.

The committee will post on the CJEO website, at the close of the comment period, or after August 15, 2014, those public comments submitted with a statement that confidentiality is waived.

CJEO is an independent committee appointed by the Supreme Court to help inform the judiciary and the public concerning judicial ethics topics. CJEO was established as part of the court's constitutional responsibility to guide the conduct of judges and judicial candidates (Cal. Const., art. VI, § 18, subd. (m)). In making appointments to serve on CJEO, the court selects members of the bench with a strong background in judicial ethics and diverse courtroom experience. The current twelve CJEO members are justices, judges, a commissioner, and a retired bench officer who have served in courts of various sizes throughout the state.

CJEO publishes formal opinions, issues confidential informal opinions, and provides oral advice on proper judicial conduct pursuant to the California Code of Judicial Ethics and other authorities (Cal. Rules of Court, rule 9.80(e)(1)). CJEO acts independently of the Supreme Court, the Commission on Judicial Performance, the Judicial Council, the Administrative Office of the Courts, and all other entities (rule 9.80(b)).

For more information about CJEO, visit the [CJEO website](#) and [view the members' page](#), call toll-free at 1 (855) 854-5366, or email [Judicial.Ethics@jud.ca.gov](mailto:Judicial.Ethics@jud.ca.gov).

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*The Supreme Court established the Committee on Judicial Ethics Opinions (CJEO) to help inform the judiciary and the public concerning judicial ethics topics. (Cal. Rules of Court, [rule 9.80](#).) CJEO publishes formal advisory opinions, issues confidential written opinions, and provides oral advice on proper judicial conduct pursuant to the [California Code of Judicial Ethics](#) and other authorities. In providing its advisory opinions, the committee acts independently of the Supreme Court, the Commission on Judicial Performance, the Judicial Council, the Administrative Office of the Courts, and all other entities. (Cal. Rules of Court, rule 9.80(b).) The Supreme Court is responsible for adopting the Code of Judicial Ethics, which guides the conduct of judges on and off the bench (Cal. Const., Art. VI, § 18, subd. (m).)*

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